

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Kimberly Ann Covert
Debtor(s)

Bankruptcy Case No.: 16-23570-GLT
Issued Per Jan. 14, 2021 Proceeding
Chapter: 13
Docket No.: 78 – 70, 72
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated November 24, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$3,124 as of January 2021. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: The claim of Wilmington Savings (Claim No. 5) governs with all mortgage payment changes of record.

The claim of Peoples Gas Co. will be paid per Order of October 20, 2020 [Dkt. No. 59].

No further payments are to be made to AmeriCredit Financial Service (Claim No. 1) but all prior payment were proper.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: January 19, 2021

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
Kimberly Ann Covert
Debtor

Case No. 16-23570-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Jan 19, 2021

User: jhel
Form ID: 149

Page 1 of 3
Total Noticed: 25

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 21, 2021:

Recip ID	Recipient Name and Address
db	+ Kimberly Ann Covert, 138 Andlers Lane, Renfrew, PA 16053-9654
sp	+ Joseph M. Kecskemethy, 101 East Diamond Street, Butler, PA 16001-5923
cr	+ Peoples Gas Company LLC, f/k/a Peoples TWP LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
cr	+ Peoples TWP LLC, c/o Barbara Rodgers, 375 North Shore Drive, Pittsburgh, PA 15212-5866
14300644	+ FNB Consumer Discount Co., 156 S. Broad St., P.O. Box 8, Grove City, PA 16127-0008
14300646	+ Jennifer Duncan, 100 Andlers Lane, Renfrew, PA 16053-9654
14294635	+ KLM Law Group, P.C., 701 Market Street, Philadelphia, PA 19106-1541
14345673	+ Peoples TWP LLC, c/o S. James Wallace, P.C., 845 North Lincoln Avenue, Pittsburgh, PA 15233-1828
14294636	+ Robert G. Covert, 416 Mitchell Avenue, Butler, PA 16001-5467
14294637	+ Robert G. Covert, 138 Andlers Lane, Renfrew, PA 16053-9654
14294638	+ Rushmore Loan Management Services, P.O. Box 52708, Irvine, CA 92619-2708
14363770	+ Rushmore Loan Management Services, P.O. Box 55004, Irvine, CA 92619-5004
14294639	+ Springleaf Financial Services of PA Inc., American General Financial Services Inc., c/o Shapiro DeNardo LLC, 3600 Horizon Drive, Ste 150, King of Prussia, PA 19406-4702
14300653	+ Stephanie Kobil, DMD LLC, 257 Pittsburgh Road, Butler, PA 16002-3953
14364418	+ US Department of Education, P.O. Box 16448, St. Paul, MN 55116-0448

TOTAL: 15

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	Email/PDF: rmscedi@recoverycorp.com	Jan 20 2021 06:18:44	Recovery Management Systems Corporation, 25 S.E. Second Avenue, Suite 1120, Miami, FL 33131-1605
14315344	Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	Jan 20 2021 06:03:00	Americredit Financial Services dba GM Financial, PO Box 183853, Arlington TX 76096
14303784	+ Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	Jan 20 2021 06:03:00	AmeriCredit Financial Services, Inc. dba GM Financ, P O Box 183853, Arlington, TX 76096-3853
14300643	+ Email/Text: electronicbkydocs@nelnet.net	Jan 20 2021 06:04:00	Department of Education/Nelnet, 121 S. 13th St., Lincoln, NE 68508-1904
14300645	Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	Jan 20 2021 06:03:00	GM Financial, P.O. Box 183834, Arlington, TX 76096-3834
14300648	+ Email/Text: electronicbkydocs@nelnet.net	Jan 20 2021 06:04:00	Nelnet/Dept. of Education, 121 S . 13th St., Lincoln, NE 68508-1904
14295020	Email/PDF: rmscedi@recoverycorp.com	Jan 20 2021 06:18:44	Recovery Management Systems Corporation, 25 S.E. 2nd Avenue, Suite 1120, Miami, FL 33131-1605
14300654	+ Email/PDF: gecsed@recoverycorp.com	Jan 20 2021 06:21:06	SYNCB/Amazon, P.O. Box 965015, Orlando, FL 32896-5015
14307270	+ Email/Text: electronicbkydocs@nelnet.net		

District/off: 0315-2

User: jhel

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Jan 20 2021 06:04:00

U.S. Department of Education C/O Nelnet, 121 S
13TH ST, SUITE 201, LINCOLN, NE
68508-1911

14294641

+ Email/Text: Bankruptcy@wsfsbank.com

Jan 20 2021 06:04:00

Wilmington Savings Fund Society FSB as,
Trustee, Carlsbad Funding Mortgage Trust, 500
Delaware Avenue, 11th Floor, Wilmington, DE
19801-1490

TOTAL: 10

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Rushmore Loan Management Services, LLC
cr		U.S. Bank National Association, not in its individ
cr		Wilmington Savings Fund Society, FSB, d/b/a Christ
cr	*+	Americredit Financial Services Inc. dba GM Financ., P O Box 183853, Arlington, TX 76096-3853
14300647	*+	KLM Law Group, P.C., 701 Market Street, Philadelphia, PA 19106-1541
14300649	*+	Robert G. Covert, 416 Mitchell Avenue, Butler, PA 16001-5467
14300650	*+	Robert G. Covert, 138 Andlers Lane, Renfrew, PA 16053-9654
14300651	*+	Rushmore Loan Management Services, P.O. Box 52708, Irvine, CA 92619-2708
14300652	*+	Springleaf Financial Services of PA Inc., American General Financial Services Inc., c/o Shapiro DeNardo LLC, 3600 Horizon Drive, Ste 150, King of Prussia, PA 19406-4702
14300656	*+	Victor Vouga, Esquire, 130 East Jefferson Street, Butler, PA 16001-5919
14300657	*+	Wilmington Savings Fund Society FSB as, Trustee, Carlsbad Funding Mortgage Trust, 500 Delaware Avenue, 11th Floor, Wilmington, DE 19801-1490
14300655	##+	Victor E. Vouga, 130 East Jefferson Street, Butler, PA 16001-5919
14294640	##+	Victor Vouga, Esquire, 130 East Jefferson Street, Butler, PA 16001-5919

TOTAL: 3 Undeliverable, 8 Duplicate, 2 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 21, 2021

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 19, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Rushmore Loan Management Services LLC bnicholas@kmlawgroup.com
Brian Nicholas	on behalf of Creditor Wilmington Savings Fund Society FSB, d/b/a Christiana Trust, not individually but as trustee for Carlsbad Funding Mortgage Trust bnicholas@kmlawgroup.com
Dai Rosenblum	on behalf of Debtor Kimberly Ann Covert Jody@dairosenblumbankruptcy.com Dai@dairosenblumbankruptcy.com;Michael@dairosenblumbankruptcy.com
Joshua I. Goldman	

District/off: 0315-2

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on behalf of Creditor Wilmington Savings Fund Society FSB, d/b/a Christiana Trust, not individually but as trustee for Carlsbad Funding Mortgage Trust jgoldman@kmlawgroup.com, kevin.shatley@padgettlawgroup.com;angelica.reyes@padgettlawgroup.com

Maria Miksich

on behalf of Creditor U.S. Bank National Association not in its individual capacity but solely as trustee for the RMAC Trust, Series 2016-CTT mmiksich@kmlawgroup.com

Office of the United States Trustee

ustpreion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

S. James Wallace

on behalf of Creditor Peoples Gas Company LLC f/k/a Peoples TWP LLC ecfpeoples@grblaw.com, PNGbankruptcy@peoples-gas.com

S. James Wallace

on behalf of Creditor Peoples TWP LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com

TOTAL: 9